



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 22 1999

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Mr. Douglas I. Greenhaus
Director
Environment, Health, & Safety
National Automobile Dealers Association
8400 Westpark Drive
McLean, Virginia 22102

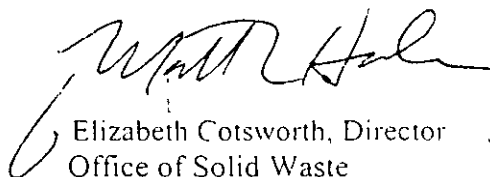
Dear Mr. Greenhaus:

Thank you for your letter of October 8, 1999, regarding the Environmental Protection Agency's (EPA's) efforts surrounding contaminated rags and wipes and radiator coolant, and also for the information that you provided on these waste streams. You request that the Office of Solid Waste (OSW) elevate these topics on our rulemaking priority list.

As you mention, EPA has been involved in efforts to address these waste streams for quite some time. With regard to both industrial shop towels and wipes containing hazardous solvents and to spent antifreeze, we are currently exploring a variety of options and will decide in the near future which of those options to pursue. While I can appreciate your desire for regulatory certainty, OSW is facing many competing priorities which makes it difficult to commit to much more than is currently ongoing with regard to these waste streams. Nevertheless, I commend your industry's efforts to provide management guidelines for handling rags and wipes and used radiator coolant. I hope that you will continue to work with OSW staff as we work through these regulatory efforts.

Again, thank you for your letter. Should you have any further questions on the status of these efforts, please contact Jim O'Leary at 703-308-8827 on rags and wipes and Javier Garcia at 703-308-2628 on radiator coolant.

Sincerely,


Elizabeth Cotsworth, Director
Office of Solid Waste

Faxback 14528



NATIONAL AUTOMOBILE DEALERS ASSOCIATION
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Legal & Regulatory Group

October 8, 1999

*Lesley -
perhaps you
could draft a
response for me
on these 2. The
Elizabeth*

Ms. Elizabeth Cotsworth
Director
Office of Solid Waste (OSW); MC-5301W
Environmental Protection Agency (EPA)
401 M Street, SW
Washington, DC 20460

Re: Contaminated Rags and Wipes and Radiator Coolant

Dear Ms. Cotsworth:

I'm writing to urge you to elevate the abovementioned topics high on your rulemaking priority list for this fiscal year.

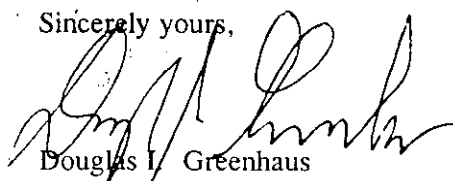
The National Automobile Dealers Association (NADA) represents 20,000 franchised automobile and truck dealers who sell new and used motor vehicles and engage in service, repair and parts sales. Together they employ in excess of 1,000,000 people nationwide, yet more than 80% are small businesses as defined by the Small Business Administration. Dealerships typically use disposable and reusable rags and wipes in their body shops and manage radiator coolant in their vehicle maintenance departments.

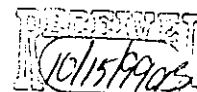
Through the years, NADA has worked closely with EPA on efforts aimed at addressing these waste streams. For example, NADA participated in a SBREFA panel process for the Office of Water's recently terminated industrial laundry rulemaking. In addition, NADA has assisted Jim O'Leary and other OSW staff to collect data on rags and wipes and to develop rulemaking options. Regarding radiator coolant, NADA has interacted with EPA's staff since 1992, primarily through the Antifreeze Coalition.

These high volume, low risk waste streams are managed by hundreds of thousands of businesses, the majority of whom are small in size. To assist our members, we have distributed guidelines for each waste stream. *See, attached.* By expeditiously issuing appropriate rules or guidance, EPA will help to promote regulatory certainty and the use of best management practices for these materials.

On behalf of NADA, I thank you for your consideration of this matter. Please feel free to contact me should you have any questions or if I can be of assistance.

Sincerely yours,

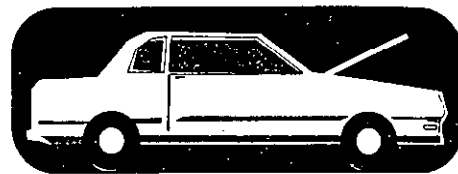

Douglas I. Greenhaus
Director, Environment, Health and Safety



AUTOMOBILE DEALERS

FACT SHEET

Handling and Disposal of Paper Wipes Used for Cleanup



How are paper wipes typically disposed?

Paper wipes used to clean up small oil spills are often disposed in the trash. Wipes used to clean up solvents or oil mixed with hazardous wastes are often disposed as hazardous waste. Many shops have drummed wipes picked up by a waste management company.

Are paper wipes hazardous waste?

The proper disposal method for paper wipes largely depends on what they are being used to clean and the dryness of the wipes.

Under federal law, paper wipes used only to clean up used oil may be able to

be disposed as nonhazardous waste, if allowed under applicable state agency rules. However, if wipes are contaminated with other hazardous constituents (e.g., hazardous solvents), they should be tested to determine if they are characteristic hazardous wastes (e.g., for ignitability or toxicity). If they do test as hazardous, or if they are used to clean "listed" solvents, they would require disposal as hazardous waste.

State interpretations of the characterization of this waste stream vary. Many states require that paper wipes used to clean up a mixture of materials be tested for hazardous waste characteristics (ignitability and toxicity) in order to be disposed as nonhazardous waste; paper wipes used to clean up oil only are usually considered nonhazardous (e.g.,

in Connecticut, Florida, Iowa, Pennsylvania, Vermont). Some states classify waste oil as hazardous waste, thereby affecting the status of wipes used to cleanup small oil spills. For example, in Massachusetts, where waste oil is considered hazardous waste, wipes that contain any free-flowing oil must also be managed as hazardous waste.

Some states consider the leachability of the wipes to be key in determining whether the wipes can be disposed as hazardous or nonhazardous. In those states, dry wipes may be disposed as nonhazardous. For example, in Massachusetts, where waste oil is hazardous, if the wipes are squeezed sufficiently to eliminate all free-flowing liquid, the wipes could then be disposed as solid waste.

CLOTH VS. PAPER

As an alternative to paper wipes, you may want to consider using reusable cloth wipes. Like paper wipes, regulations regarding the disposal of cloth wipes vary from state to state. Many states do not require reusable wipes to be handled as hazardous if certain standards are met. While some states may require TCLP testing or disposal as hazardous for paper wipes, they may also specify that cloth rags may be handled as nonhazardous waste if they are sent to a laundering facility for cleaning and reuse, provided that the facility meets certain standards, e.g., regulated by the local sewer authority.

In Vermont, for example, wipes, shop towels, and other reusable absorbents contaminated with "listed" or characteristic hazardous wastes are specifically exempted if they are picked up and cleaned by a commercial laundry facility and returned to the customer and if the following standards are met: (1) the laundry service must use either a solvent-based dry cleaning or water-based laundering process to clean the wipers/absorbents, (2) hazardous waste must not be disposed of onto the wipes, and the paint filter liquids test shows no free liquid hazardous waste present, (3) contaminated absorbents going to the launderer must be identified and stored in closed bags/containers on an impervious surface in a roofed enclosure, and (4) the launderer must manage all residuals/wastes from laundering as required under Vermont's hazardous waste management regulations or other applicable state regulations, or in accordance with federal/state wastewater discharge requirements (e.g., National Pollutant Discharge Elimination System permit, pretreatment permit, local sewer ordinances).

RECOMMENDED BEST MANAGEMENT PRACTICES

- Practice good housekeeping to reduce the number of wipes needed to clean up spills (e.g., use drip pads, non-leak safety faucets). Reduce the number of paper wipes used to clean solvents or mixtures of solvents and oils.
- If wipes are used to clean up hazardous wastes, either dispose as hazardous or periodically test for hazardous waste characteristics using TCLP only for expected constituents. Dispose accordingly, depending on state regulations and policies.
- If wipes were used only to clean up small oil spills, and state rules do not list oily wastes as hazardous, dispose as nonhazardous either in a local sanitary landfill or some type of industrial nonhazardous landfill, in accordance with state rules.
- Consider using cloth rags and an industrial laundry service. Keep contaminated wipes in covered containers while being stored prior to pick up for laundering. Maintain documentation to show rags have been laundered.

How should dealerships dispose of paper wipes?

Paper wipes considered as hazardous must be disposed in accordance with hazardous waste regulations. Have these wastes picked up by a licensed hauler/waste management company to dispose at a hazardous waste incinerator or landfill. Some states require wipes tested as nonhazardous to be disposed as special waste (e.g., Illinois).

If wipes free of dripping liquids are allowed to be disposed as solid waste, have them disposed as solid waste at

an incinerator, solid waste landfill, or waste-to-energy facility. Landfills in certain states will accept oil-covered rags and wipes if not dripping with oil. Of course, provided it is allowed in your state, you may dispose such dry wipes with the regular trash as well.

How can dealerships minimize paper wipe disposal costs and liability?

Good housekeeping can help reduce the number and amount of oils or fluids spilled and thus, the volume of rags or absorbent needed to clean up spills.

Examples of good housekeeping practices to prevent spills include:

- Placing drip pads under vehicles that are being repaired or lubricated.
- Using self-closing, non-leak safety faucets on portable waste oil collection tanks.
- Minimizing wipes from contacting potentially hazardous substances.

POSSIBLE EPA EXCLUSION FOR WIPES

Data generated by two major companies in the late 1980s and early 1990s showed that wipes used to clean common solvents often test as nonhazardous. Based on these data, EPA is considering an exemption for rags and wipers containing spent solvents *if specific management standards are met*. That is, wipes with de minimis quantities of residual solvents that do not drip when hand squeezed would be able to be shipped to laundries regulated under the Clean Water Act or disposed in secure solid waste landfills. Most states support the notion that a minimal amount of solvent left on wipes does not present any significant environmental or human health risk.

Do you need more information?

Contact your state environmental agency or state dealer association for state-specific regulatory interpretations. Some pollution prevention/recycling/reuse practices encouraged in some states are not allowed in others. For more information on successful best management practices and for state agency contacts, call your state automobile dealers association or:

National Automobile Dealers Association

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Prepared for the National Automobile Dealers Association under a grant from the U.S. Environmental Protection Agency Office of Small Business Ombudsman by:

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Voluntary Management Standards for Used Antifreeze Generator Facilities

Collection

1. In order to minimize the risk of contamination, used antifreeze should be collected using only dedicated equipment (such as drain pans, funnels, transfer buckets etc.).
2. After being drained from a vehicle, used antifreeze should be transferred *immediately* to a dedicated storage container.

Storage Prior to Collection for Recycling

1. Used antifreeze should be stored in a *separate* container reserved exclusively for used antifreeze. Care should be taken to ensure that the drum or other container is not lined with paint, resin or other materials that could contaminate the used antifreeze. If contamination is suspected, the container should be replaced, thoroughly cleaned with a detergent, or fitted with a plastic liner. The container should be in good condition with no leaks and a lid that can be secured to keep out rain water and other contaminants.
2. The used antifreeze storage container should be clearly marked USED ANTIFREEZE in order to minimize the risk of accidental contamination.
3. Access to the used antifreeze storage container should be restricted to facility employees or other authorized personnel. If located outside the building, it should be locked or otherwise protected from unauthorized use.

Other Generator Management Considerations

1. Mixing used antifreeze with used oil prior to collection for recycling is *strongly discouraged* and could subject the generator facility to additional liability and/or charges from the used oil hauler/processor. In addition, the practice may violate state or local law.
2. Mixing used antifreeze with other shop materials *should not be permitted*. Such mixing can damage recycling equipment, invalidate permits required to utilize the municipal waste treatment systems and subject the facility to fines or other penalties.
3. The generator facility should have an adequate spill avoidance and emergency response plan that accommodates the used antifreeze collection and storage method utilized on-site. This plan should be periodically reviewed with employees.
4. Used antifreeze should be recycled or otherwise managed in accordance with all federal, state and local laws.

The above voluntary management standards do not constitute legal or regulatory advice. There is no warranty that following the voluntary management standards will ensure compliance with all environmental laws and regulations or avoid other environmental liability. Please consult Federal, state and local environmental officials, or an attorney, concerning compliance with environmental laws and regulations and avoidance of environmental liability.